

POWERS, KIRN & ASSOCIATES, LLC  
 By: Jill Manuel-Coughlin, Esquire  
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**IN THE UNITED STATES BANKRUPTCY COURT  
 FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Noel N. Karasanyi  Debtor	Chapter 13 Proceeding  14-19922 MDC
THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST 2005-3CB MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-3CB  Movant	
v.	
Noel N. Karasanyi  William C. Miller, Esquire  Respondents	

**STIPULATION IN SETTLEMENT OF  
 MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

WHEREAS, the parties hereto, and their respective counsel, have agreed as to the disposition of the Motion for Relief from the Automatic Stay filed by Jill Manuel-Coughlin, Esquire on behalf of secured creditor, THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST 2005-3CB MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-3CB ("Movant").


NOW, THEREFORE, intending to be legally bound, the parties hereto, herewith stipulate as follows:

1. The Automatic Stay as provided by Section 362 of the Bankruptcy Code shall remain in full force and effect conditioned upon the terms and conditions set forth herein.
2. This Stipulation pertains to the property located at 657 Parkview Boulevard, Yeadon, PA 19050, mortgage account ending with 7294.
3. Upon approval by the United States Bankruptcy Court of the within Stipulation, Debtor and Movant, agree to the following:
  - (a) Parties acknowledge that the current regular post-petition payment is \$1,872.09.
  - (b) Parties acknowledge that the following amounts are currently due post-petition:

Monthly Payments: 6/1/2016 – 9/1/2016 @ \$1,918.80 10/1/2016 – 9/1/2017 @ \$1,904.01 10/1/2017 – 8/1/2018 @ \$1,872.09	\$51,116.31
Less Debtor Suspense:	(\$2.40)
<b>Total Post-Petition Arrearage:</b>	<b>\$51,113.91</b>

- (c) Commencing with the 9/1/2018 payment the Debtor shall resume and shall continue to make all regular monthly post-petition payments when they are due in accordance with the terms of the Note & Mortgage.
- (d) On or before 8/31/2018, Debtor shall make a down-payment to Movant in the amount of \$51,113.91. This payment shall be applied to the post-petition arrears as shown in paragraph 3 (b) above.
- (e) If sufficient proof is provided (front and back copies of checks or money orders) of payments made, but not credited, the account will be adjusted accordingly.
- (f) All post-petition payments from Debtor to Movant shall be sent to Bayview Loan Servicing, LLC, 4425 Ponce De Leon Boulevard, 5th Floor, Coral Gables, FL 33146.
- (g) The provisions of the Stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this Stipulation, including fees and costs, due under the terms of the contract and applicable law. Also, all allowable fees and costs due to Movant as stated on any Post-Petition Fee Notices filed with the court shall be paid prior to the entry of a Discharge Order.
- (h) The Debtor shall timely tender all payments and comply with all conditions in accordance with this Stipulation. If such payments or conditions are not timely made, or if the case should convert to a Chapter 7 Bankruptcy, Movant may provide the Debtor and their counsel with fifteen (15) days written notice of default. If the default is not cured within the fifteen (15) day period, Movant may certify the default to this Court and an Order shall be entered granting Movant relief from the automatic stay without further notice and hearing and waiving FED. R. Bankr. P. 3002.1 and waiving Rule 4001 (a)(3) so that the Relief Order is immediately effective and enforceable.
- (i) The parties agree that a facsimile may be submitted to the Court as if it were an original.

STIPULATED AND AGREED TO BY:

  
Michael Gumbel, Esquire  
Attorney for Debtor

Date:

  
William C. Miller, Esquire  
Trustee

Date: 9/13/18

/s/ Jill Manuel-Coughlin, Esquire

Jill Manuel-Coughlin, Esquire

Attorney for Movant

Date:

**\*without prejudice to any  
trustee rights or remedies**

On this 19th day of September, 2018, approved by the Court.



United States Bankruptcy Judge  
Magdelene D. Coleman